

HOUSE BILL 973

A2

1lr1757
CF SB 541

By: **Delegates Eckardt, Cane, and Haddaway-Riccio**

Introduced and read first time: February 11, 2011

Assigned to: Economic Matters

Committee Report: Favorable

House action: Adopted

Read second time: March 16, 2011

CHAPTER _____

1 AN ACT concerning

2 **Dorchester County Liquor Act of 2011**

3 FOR the purpose of repealing a certain obsolete residency requirement for voters
4 supporting an application for an alcoholic beverages license in Dorchester
5 County; specifying that a certain prohibition against alcoholic beverages sales
6 at a bar or counter on Sunday does not apply in the county; repealing certain
7 obsolete language concerning Sunday sales; and generally relating to alcoholic
8 beverages in Dorchester County.

9 BY repealing and reenacting, without amendments,
10 Article 2B – Alcoholic Beverages
11 Section 10–103(b)(18)(i) and (iv), 10–104(a), and 11–403(a)(1) and (b)(1) and
12 (2)(xi)
13 Annotated Code of Maryland
14 (2005 Replacement Volume and 2010 Supplement)

15 BY repealing
16 Article 2B – Alcoholic Beverages
17 Section 10–104(k)
18 Annotated Code of Maryland
19 (2005 Replacement Volume and 2010 Supplement)

20 BY adding to
21 Article 2B – Alcoholic Beverages
22 Section 11–403(a)(11)

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike-out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



1 Annotated Code of Maryland
2 (2005 Replacement Volume and 2010 Supplement)

3 BY repealing and reenacting, with amendments,
4 Article 2B – Alcoholic Beverages
5 Section 11–403(b)(2)(i)
6 Annotated Code of Maryland
7 (2005 Replacement Volume and 2010 Supplement)

8 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
9 MARYLAND, That the Laws of Maryland read as follows:

10 **Article 2B – Alcoholic Beverages**

11 10–103.

12 (b) Except as otherwise provided in this subtitle, every new application for a
13 license shall be made to the Board of License Commissioners on forms prescribed by
14 the Comptroller and sworn to by the applicant. Every application for a license shall
15 contain the following:

16 (18) (i) A certificate signed by at least ten citizens who are owners
17 of real estate and registered voters of the precinct in which the business is to be
18 conducted, stating the length of time each has been acquainted with the applicant, or
19 in the case of a corporation with the individuals making the application; that they
20 have examined the application of the applicant and that they have good reason to
21 believe that all the statements contained in this application are true, and that they are
22 of the opinion that the applicant is a suitable person to obtain the license. The
23 certificate must have a statement that the signers of it are familiar with the premises
24 upon which the proposed business is to be conducted, and that they believe the
25 premises are suitable for the conduct of the business of a retail dealer in alcoholic
26 beverages.

27 (iv) This certificate is not necessary for applications filed in
28 Dorchester County, Prince George’s County, Montgomery County and Anne Arundel
29 County.

30 10–104.

31 (a) The following requirements for application for county licenses shall be
32 applicable in these counties, as additional requirements except where inconsistent
33 with those listed elsewhere in this subtitle:

34 [(k) In Dorchester County every voter, who signs the certificate supporting
35 the application for license, shall have resided in the voting precinct in which the
36 applicant proposes to do business, for three hundred and sixty–five consecutive days

1 immediately prior to the date of the filing of such application, and the signature of any
2 person who does not meet the requirements of this section, shall be null and void.]

3 11-403.

4 (a) (1) A retail dealer holding a Class B or C license may not sell any
5 alcoholic beverage at a bar or counter on Sunday.

6 (11) THE PROHIBITION SPECIFIED IN PARAGRAPH (1) OF THIS
7 SUBSECTION DOES NOT APPLY IN DORCHESTER COUNTY.

8 (b) (1) In the jurisdictions in which this subsection is applicable, it is
9 unlawful for anyone to sell or for any licensed dealer to deliver, give away or otherwise
10 dispose of any alcoholic beverages on Sunday. Any person selling or any licensed
11 dealer delivering, giving away or otherwise disposing of such beverages in such
12 jurisdictions on Sundays is guilty of a misdemeanor and shall be fined not more than
13 \$50 for the first offense and not more than \$100, or imprisoned in the county jail for
14 not more than 30 days, or both for each succeeding offense.

15 (2) (i) This subsection is applicable to Caroline, Cecil, [Dorchester,
16 except as provided in subparagraph (xi) of this paragraph,] Garrett, except as provided
17 in paragraph (5) of this subsection, Harford, Kent, Queen Anne’s, except as provided in
18 subparagraph (v) of this paragraph, Somerset, Talbot, and Worcester (except as
19 otherwise provided) counties.

20 (xi) For Dorchester County the provisions are subordinate to §
21 11-510 of this title.

22 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
23 October 1, 2011.

Approved:

Governor.

Speaker of the House of Delegates.

President of the Senate.